IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

Bail Appl..No. 7444 of 2007()

CRIME 1130/07 OF KOLLAM EAST POLICE STATION
CRMP.3608/2007 of II ADDL. DISTRICT COURT, KOLLAM

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PETITIONER/ACCUSED

AJITH @ AJI, S/O.SADANANDAN,
AGED 28 YEARS, EDAYITHUKIZHAKKATHIL,
EREZHA NORTH MURI, KANNAMANGALAM VILLAGE,
MAVELIKKARA TALUK.

BY ADV. SRI.C.SUNIL KUMAR

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE CIRCLE INSPECTOR OF POLICE,
KOLLAM EAST POLICE STATION.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2007, ALONG WITH BA NO. 7447 OF 2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. Nos. 7444 & 7447 of 2007

Dated this the 13th day of December, 2007

ORDER

Applications for regular bail. When the applications are filed, the common petitioner is shown as accused in two crimes – Crime Nos.1129 and 1130 of 2007 of the Kollam East Police Station. After taking instructions, the learned Public Prosecutor submits that the petitioner was arrested on 27/10/07 by the Kollam East police. The arrest was effected under Sec.41(1)(d) of the Cr.P.C. He was arrested and interrogated. It was found that he was involved in the commission of theft of motor-cycles. In fact, his involvement was in the form of receiving stolen motor-vehicles. After registering Crime No.1129/07, Crime No.1130/07 was also registered on the basis of the confession of the petitioner. It was revealed, in the course of investigation in Crime Nos.1129

and 1130/07, that the stolen property involved in Crime No.1129/07 was the property involved in Crime No.468/07 of the Pala Police Station. Crime No.380/07 of the Gandhi Nagar Police Station has been registered in respect of Crime No.1130/07 of the Kollam East Police Station. The cases have been transferred to the Pala Police Station and the Gandhi Nagar Police Station and the arrest of the petitioner in those two crimes have been recorded with effect from 26/11/07 and 7/12/07 in those crimes. The petitioner continues in custody from 27/10/07, in these circumstances. Except those two cases, the petitioner has no history of any criminal antecedents, submits the learned Public Prosecutor further.

2. The learned counsel for the petitioner prays that, in any view of the matter, the petitioner, who has remained in custody from 27/10/07, may now be enlarged on bail.

3. The learned Public Prosecutor opposes the applications. The learned Public Prosecutor submits that some further time may be given to the Investigators in the Pala Police Station in Crime No.468/07 and the Gandhi Nagar Police Station in Crime No.380/07 to complete the investigation in those cases.

Appropriate conditions may also be imposed to ensure the continued presence of the petitioner before the Investigating Officers.

4. Having considered all the relevant inputs, I am persuaded to agree that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

5. In the result, these bail applications are allowed. The petitioner shall be released on bail in Crime No.468/07 of the Pala Police Station and Crime No.380/07 of the Gandhi Nagar Police Station with the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 24/12/2007. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer in the Pala Police Station in Crime No.468/07 on all Mondays between 10 a.m. and

12 noon for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officers in writing to do so. He shall make himself available for interrogation before the Investigating Officer in the Gandhi Nagar Police station in Crime No.380/07 on all Fridays between 10 a.m. and 12 noon for a period of two months from the date of his release and thereafter as and when directed by the Investigating Officers in writing to do so.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge